



**Request for City Council Committee Action
From the City Attorney's Office**

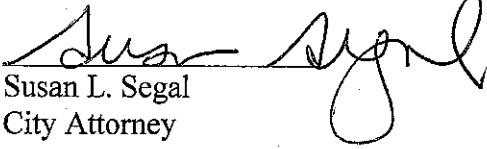
Date: October 2, 2012
To: Ways & Means/Budget Committee
Referral to:

Subject: Claim entitled *Johnathan McClellan v. City of Minneapolis*

Recommendation: That the City Council approve the settlement of this claim by payment of \$21,000.00 payable to Johnathan McClellan and \$14,000.00 payable to his attorneys, Baillon, Thome, Jozwiak, Miller & Wanta, from Fund/Org. 06900 1500100 145400, and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: Kristin Sarff ((612) 673-3919) and Joel Fussy ((612) 673-2939)

Approved by: 
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact (Check those that apply)

- ☐ No financial impact (If checked, go directly to Background/Supporting Information).
☐ Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
☐ Action provides increased revenue for appropriation increase.
☐ Action requires use of contingency or reserves.
☐ Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
☒ Other financial impact (Explain): Fund/Org. 6900 1500100 145400
☐ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: City Goal: A city that works.

Background/Supporting Information: This claim alleges that Jonathan McClellan was terminated from employment with the Regulatory Services Department based on race and disability considerations in violation of the Minnesota Human Rights Act and Title VII. A mediation was conducted with retired state court judge, John W. Borg, which resulted in a proposed settlement of \$35,000.00, plus the cost of mediation. The City was represented by Assistant City Attorneys, Joel Fussy and Kristin Sarff, and Director of Regulatory Services, Henry Reimer. The parties involved in the mediation believe that the mediated settlement is in the best interests of the City and recommend approval by the City Council.